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REMARKS

This Amendment is responsive to the Office Action identified above, and is further responsive in any other manner indicated below.

PENDING CLAIMS

Claims 1-9 were pending in the application at the time of the Office Action.

Unrelated to any prior art, scope or rejection, appropriate Claims have been amended, added or deleted in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, the amendments to the claims are unrelated to any prior art or scope adjustment, and are simply clarified claims in which Applicant is presently interested. At entry of this paper, Claims 1-10 and 13 remain pending in the application for consideration and examination.

REJECTION UNDER §112, 2ND ¶-OBLIVIATED VIA CLAIM AMENDMENT

Claims 1-9 were rejected under 35 USC §112, 2ND ¶, as being indefinite for the concerns listed at Item 2 on page 2 of the Office Action. Unrelated to any prior art, scope or rejection, Claims 1-9 have been carefully reviewed and carefully amended where appropriate in order to address the Office Action listed concerns. For example, Claim 1 has been amended to remove the language objected to in the Action, i.e., "such as," and appropriate ones of the remaining claims also have been amended to overcome informalities. As the foregoing is believed to address all §112, 2ND ¶ concerns, reconsideration and withdrawal of the §112, 2ND ¶ rejection are respectfully requested.

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REJECTIONS UNDER 35 USC §§102 AND 103 - TRAVERSED

All 35 USC rejections are respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicants disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed.

In order to properly support a §102 anticipation-type rejection, the reference must teach each and every limitation in the claim. In order to properly support a §103 obviousness-type rejection, the reference not only must suggest the claimed features, but also must contain the motivation for modifying the art to arrive at an approximation of the claimed features. However, the cited art does not adequately support a §102 anticipatory-type rejection or a §103 obviousness-type rejection because it does not, at minimum, disclose (or suggest) the following limitations of Applicant's clarified claims.

More particularly, Applicant's disclosed and claimed invention is directed toward arrangements (e.g., methods) which provide guidance to allow a non-laboratory-technician to effectively operate a laboratory (e.g., during a laboratory technician's absence, such as night-time hours), for example, to test biological

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samples. More particularly, the operation guidance method of a clinical system is switchable over from a first (laboratory technician) mode providing little guidance, to a second (non-laboratory-technician) mode providing high details (e.g., diagrams) concerning a procedure of operation normally performed by the laboratory technician. At minimum, Applicant's disclosed and claimed invention contains the features/limitations of: wherein a display image is switched over between a first mode where a display image is for a laboratory technician, and a second mode where a display image is for a non-laboratory-technician and operation guidance is displayed as a navigation function, wherein said second mode comprises: sorting out works to be performed by the non-laboratory-technician with guidance in accordance with a procedure of operation normally performed by said laboratory technician; displaying a menu of sorted works on an initial screen; providing guidance on operation by sequentially displaying display images as operation guidance on respective works in accordance with said procedure of operation..."

Added dependent claims 10-12 contain the features/limitations, "wherein said display image is selectively lockable to said second mode to lock the non-laboratory-technician to use the second mode."

Turning now to rebuttal of the applied art, Miller is directed to a computer interface module having a flat menu where detailed information about a clinical analytical system may be displayed by activating no more than two function buttons. Miller fails as a reference because Miller is not at all concerned with providing a first (laboratory technician) mode and a second (non-laboratory-technician) mode. More particularly, Miller appears to disclose nothing more than a plurality of information

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screens commonly used by all users. Further, Miller does not disclose or suggest any type of arrangement to selectively lock a non-laboratory-technician to use the second mode. Accordingly, Miller would not have disclosed or suggested the above-emphasized features/limitations of Applicant's clarified claims.

Maus et al. (which appears to have been cited mainly for its teachings regarding voice output) does not cure the deficiency mentioned above with respect to the primary Miller reference. As a result, it is respectfully submitted that no combination of the applied references would have disclosed or suggested the above-emphasized features/limitations of Applicant's clarified claims.

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

The present invention is characterized in that (1) a display image is switched over between a first mode where a display image is intended for a laboratory technician, and a second mode wherein an operation guidance is displayed by a navigation function (see, for example, page 7, lines 13-26 of Applicant's specification), and that (2) displaying schematic operation guidance at one or a plurality of operation guidance illustration in the display images as operation guidance; and when the operation guidance illustration is selected, displaying a display area of ancillary information to further explain the operation guidance illustration as selected (see, for example, page 9, line 27 through page 11, line 9 of Applicant's specification).

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Thus, the operation guidance system of the clinical system according to the invention comprises a first mode intended for a laboratory technician accustomed to the operation of the analyzing apparatus, and a second mode intended for doctors and nurses who are not familiar with operating such apparatus, which makes it possible for both the experts and the inexperienced to operate such apparatus. Upon selecting any one of the schematic operation guidance illustrations in the second mode, a display image of ancillary information is displayed to further explain the operation guidance illustration as selected, so that even the operators who are unaccustomed to use such apparatus are able to execute functions as necessary in accordance with their proficiency level in operation. Further, such schematic operation guidance illustration selection facilitates the display of the ancillary information for detailed operation guidance.

In comparison with the prior art references, in the Office Action, the Examiner considers that there is no novelty in the subject matter of Claim 2 in view of the disclosure in the prior art reference to Miller (US 6,442,440 B1), and further considers that the subject matters of Claims 1, 3, 4, 8 and 9 are obvious in light of the disclosure to Miller, while Claims 5-7 are obvious over Miller in view of the prior reference to Maus et al. (US 6,602,469 B1).

There is neither disclosure nor suggestion in any one of those prior art references of the limitations/features of clarified Claims 1-9 as indicated above. Therefore, Claims 1-9 as amended are allowable over the art of record.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support either a §102 anticipation-type rejection or a §103

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obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of all such §§102 and 103 rejections, and express written allowance of all claims, are respectfully requested.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer of any scope or subject matter. Further, Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

EXAMINER INVITED TO TELEPHONE

The Examiner is invited to telephone the undersigned at the local D.C. area telephone 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the

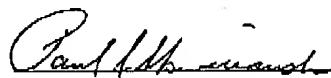
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application are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

This Amendment is being submitted within the shortened statutory period for response set by the Office Action mailed 22 March 2004 in the present application, and therefore, no Petition for Extension of Time Under 37 CFR §1.136 or fee is required for entry and consideration of this paper. To whatever other extent is actually appropriate, Applicant respectfully petitions the Commissioner for an extension of time under 37 CFR §1.136. Further, no additional fees are required for entry of this paper. Please charge any actual shortage in fees to ATS&K Deposit Account No. 01-2135 (referencing Case No. 520.40476X00).

Respectfully submitted,



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